



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
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BETTY T. YEE
First District, San Francisco

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Third District, Rolling Hills Estates

JUDY CHU, Ph.D.
Fourth District, Los Angeles

JOHN CHIANG
State Controller

RAMON J. HIRSIG
Executive Director

STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
May 13-15, 2008
NOTICE AND AGENDA
Meeting Agenda (as of 05/02/08, 1:00 p.m.)

Agenda Changes

Webcast Audio for Tuesday, May 13, 2008

Tuesday, May 13, 2008

9:30 a.m. Board Meeting Convenes*

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair, Dr. Chu, may modify the order of the items on the agenda. Items may be postponed to a subsequent day; however, items will not be moved to an earlier day.

Board Meeting*

Oral Hearings

A. Homeowner and Renter Property Tax Assistance Hearings

These items are scheduled for Thursday, May 15, 2008.

B. Corporate Franchise and Personal Income Tax Hearings

These items are scheduled for Tuesday, May 13, 2008 afternoon and Thursday, May 15, 2008.

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

C1.a Tullio Mamolo, 336687 (AC)

C1.b Viktor Benes Continental Pastries, Inc., 336688 (AC)

For Petitioner: Tullio Mamolo, Taxpayer

Ugo Mamolo, Taxpayer

For Department: Trecia Nienow, Tax Counsel

- C2. Jay F. Mannino, 249957 (UT)
For Petitioner: Jay Mannino, Taxpayer
John Galvin, Attorney
For Department: Carla Caruso, Tax Counsel
- C3. Gen-Mar, Inc., 311275, 334987 (FH)
For Petitioner: Gary Kevorkyan, Taxpayer
For Department: Kevin Hanks, Hearing Representative
- C4. Karim Maredia, 283833 (ARH)
For Petitioner: Karim Maredia, Taxpayer
Michael P. Mears, Attorney
Sal Maredia, Witness
For Department: Christine Bisauta, Tax Counsel
- C5. Jill Pierce, 342657 (AP)
For Petitioner: Jill Pierce, Taxpayer
For Department: Christine Bisauta, Tax Counsel
- C6. Stuart Brian Collins, 334426 (AS)
For Petitioner: Stuart Brian Collins, Taxpayer
Richard Block, Attorney
Eric Sarkisian, Accountant
Donna Bennett, Bookkeeper
For Department: Kevin Hanks, Hearing Representative
- C7. Jamshid Malakouti, 308952 (EH)
For Petitioner: Jamshid Malakouti, Taxpayer
For Department: Kevin Hanks, Hearing Representative
- C8. Gabinda, Inc., 352181 (EA)
For Petitioner: David Charest, Taxpayer
For Department: Robert Tucker, Tax Counsel
- C9. Anna Berardini, 288368 (AA)
For Petitioner: Anna Berardini, Taxpayer
Cruz Saavedra, Attorney
Darwin Salgado, Bookkeeper
For Department: Kevin Hanks, Hearing Representative

D. Special Taxes Appeals Hearings

These items are scheduled for Wednesday, May 14, 2008.

There are no items for the following Matters:

- E. Property Tax Appeals Hearings
- F. Public Hearings

G. Tax Program Nonappearance Matters – Consent(Contribution Disclosure forms not required pursuant to Gov. Code § 15626.)**G1. Legal Appeals MattersMr. Levine**

- Hearing Notices Sent – No Response
 1. K.V.L., Inc., 263001 (AR)
 2. Goldilocks Food Products, Inc., 303517 (AS)
 3. A La Carte Gourmet, Inc., 379333 (EA)
 4. Armando Chavez, 304190 (EH)
 5. John J. Devito, Jr., 285931 (EAA)
 - 6a. Donald Goff, 345455 (EH)
 - 6b. Melanie Gamblin Goff, 345456 (EH)
 - 6c. Melanie Gamblin Goff, 345448 (EH)
 7. Winston John Sullivan, 358819 (GH)
 8. AZ3, Inc., 329902 (UT)
 9. The Bob Koll Sailing Foundation, 348264 (UT)
 10. Maria Cecilia Arango, 289813 (AC)
 11. Lawrence Edward Kast, 270395 (KHO)
 12. Lucas Alexander Paun, 354582 (AS)
 13. Cartridge World of North America, LLC, 332309 (CH)
 - 14a. Richard D. Hebb and Gregory L. Smith, 250398 (MT)
 - 14b. H & S Coatings, Inc., 261373 (MT)
- Petition for Release of Seized Property
 15. Guru Gas & Market, Inc., 431276 (ET)

G2. Franchise and Income Tax Matters.....Ms. Kelly

- Hearing Notice Sent – No Response
 1. Victor Roy, 395839
- Decisions
 2. Brown Shingle Mutual Housing Association, 382905
 3. Edward Buffalo, 355450
 4. Lillian Gilbert, 379621
 5. Yekta Gursel, 375150
 6. Hobbs Management Services, LLC, 356954
 7. Jammens, Inc., 362628
 8. Kenneth Klee and Robyn Klee, 356944
 9. Eugene W. Lee, 349301
 10. Marie Ragaban, 339675
 11. Gary B. Shelly, 313293
 12. Glenn Wennen and Sandra Wennen, 354572
 13. Juliet Zacks, 383547
- Decisions on Petitions for Rehearing
 14. Victor C. Bortka, 192236
 15. Jerry Chow, 349005
 16. Michael Edward Farrell and Christine Farrell, 268382
 17. Harold Leonard Kuder, Jr., 362625

- 18a. Victor Roy, 307162
- 18b. Victor Roy, 341901
- 19. Kenneth Schweit, 342024
- 20. Vidco Express, Inc., 378528
- 21. Donna Yarnovich, 345641

G3. Homeowner and Renter Property Tax

Assistance Matters.....Ms. Kelly

➤ Decisions

- 1. Cynthia A. Callegri, 383626
- 2. Quitin Cheeseborough, 395753
- 3. Roger Craven, 387203
- 4. Jeffrey Frei, 387879
- 5. Anthony Garrison, 345945
- 6. Lorena Getz, 380751
- 7. James Iddings, 378588
- 8. David Lapides, 383529
- 9. Leandro C. Maniquis, 372972
- 10. Ethel E. Martin (Deceased), 391712
- 11. Shiline Middleton, 378380
- 12. Victoria Jo Schaller, 361586
- 13. Puspa K. Widjaja (Deceased), 352261

G4. Sales and Use Taxes Matters Ms. Henry

➤ Redeterminations

- 1. Palomar Transit Mix, Inc., 353087 (FHB)
- 2. Michael Korman, 336167 (KH)
- 3. Regina Lee Nizzoli, 346006 (KH)
- 4. Entrust Technologies, Inc., 383206 (OHA)
- 5. Calmat Co., 353088 (AA)
- 6. Imperial Valley Cablevision, Inc., 399506 (OHB)
- 7. Buenavision, 399505 (OHB)
- 8. Adelphia CA Cablevision, LLC, 399503 (OHB)
- 9. Adelphia Cablevision of Inland Empire, LLC, 399502 (OHB)
- 10. Adelphia Communications of California III, LLC, 399504 (OHB)
- 11. Adelphia Communications of California, LLC, 399500 (OHB)
- 12. Adelphia Cablevision of Simi Valley, LLC, 399501 (OHB)

➤ Relief of Penalty/Interest

- 13. Autozone West, Inc., 436605 (OHA)
- 14. Rubio's Restaurants, Inc., 436924 (FHB)
- 15. Symbol Technologies, Inc., 434450 (OHB)
- 16. Arbonne International, Inc., 436820 (EAA)
- 17. United Rentals Northwest, Inc., 436595 (OHB)
- 18. Uline Incorporated, 436834 (OHA)
- 19. Urban Outfitters West, LLC, 436819 (OHB)

➤ Denials of Claims for Refund

- 20. Studio Photo Imaging Services, Inc., 283442 (AS)

21. Conocophillips Company, 437017 (OHA)
22. International Business Machines Corp., 436916 (OHB)
23. Orange County's Credit Union, 436913 (EA)
24. Airlines Reporting Corporation, 417441 (OHB)

G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds..... Ms. Henry

- Credits and Cancellations
 1. Muzak, LLC, 435612 (OHB)
 2. CRS Retail Systems, Inc., 394394 (OHB)
 3. Moheb Magdy Lotfy, 435470 (BH)
- Refunds
 4. Trackstar Printing, Inc., 341260 (AS)
 5. Chevron U.S.A., Inc., 414206 (BH)
 6. Finisar Corp., 406171 (GH)
 7. Alta Bates Summit Medical Center, 434556 (CH)
 8. Sunston Equipment, Inc., 420846 (AA)
 9. Space Systems/Loral, Inc., 434751 (GH)
 10. Professional Hospital Supply, Inc., 426433 (EH)
 11. Fujitsu Network Communications, Inc., 391662 (CH)
 12. Corporate Express Promotional Marketing, 401688 (OHA)
 13. Conocophillips Company, 340383 (OHA)
 14. Gen-Probe Sales & Service, Inc., 415647 (FH)
 15. West Coast Surfaces, Inc., 418390 (EA)
 16. Sprint Telephony PCS, L.P., 250020 (OHA)
 17. Warrior Custom Golf, Inc., 433118 (EAA)
 18. Wachovia Dealer Services, Inc., 426879 (EAA)
 19. Jet Turbine Service, Inc., 421981 (OHA)
 20. International Business Machines Corp., 350108 (OHB)
 21. Cedars-Sinai Medical Center, 361404 (AS)
 22. Wescom Credit Union, 424990 (AP)
 23. Irvine Photo Graphics, Inc., 203750 (EAA)
 24. All Good Pallets, Inc., 420056 (CH)
 25. Integrated Impressions, Inc., 399887 (EAA)
 26. Balboa Thrift & Loan Association, 403729 (FH)
 27. Orange County's Credit Union, 405612 (EA)
 28. Transouth Financial Corporation, 382928 (OHB)
 29. CIG Financial, 424045 (EAA)
 30. DST Output West, LLC, 433982 (OHA)
 31. Automotive Funding Group, Inc., 424504 (EA)
 32. BRE/ESA Properties, LLC, 357532 (OHB)
 33. Kaiperm Federal Credit Union, 356120 (CH)
 34. Open Biosystems, Inc., 421983 (OHA)
 35. CIT Healthcare, LLC, 406168 (OHB)
 36. Rogers Acceptance Corporation, 425090 (AP)

G6. Special Taxes Matters Ms. Bartolo

- Redeterminations
 1. Conco Paint Company, 346956 (MT)
 2. Hotel Airport Shuttle.Com, LLC, 358672 (MT)
- Relief of Penalty
 3. National General Insurance Company, 436156 (ET) – “CF”

G7. Special Taxes Matters – Credits, Cancellations, and Refunds Ms. Bartolo

- Credits and Cancellations
 1. Conco Paint Company, 435335 (MT)

There are no items for the following matters:

- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

There are no items for the following Matters:

- H. Tax Program Nonappearance Matters – Adjudicatory
- I. Tax Program Nonappearance Matters

Chief Counsel Matters

There are no items for the following Matters:

- J. Rulemaking
- K. Business Taxes
- L. Property Taxes
- M. Other Chief Counsel Matters

Administrative Session

There are no items for the following Matters:

- N. Consent Agenda
- O. Adoption of Board Committee Reports and Approval of Committee Actions
- P. Other Administrative Matters

1:30 p.m. Board Meeting Reconvenes***C. Sales and Use Tax Appeals Hearings**

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C10. Chawki A. Rafeh, 241564, 241569, 241573 (ARH)

| | |
|-----------------|-------------------------------------|
| For Petitioner: | Jeff Lentz, Accountant |
| For Department: | Kevin Hanks, Hearing Representative |

- C11. Spa De Soleil, Inc., 349460 (AC)
 For Petitioner: Joseph Yafeh, CPA
 For Department: Trecia Nienow, Tax Counsel
- C12. Bobby Eugene Cook, 333472 (FH)
 For Petitioner: Bobby E. Cook, Taxpayer
 For Department: Kevin Hanks, Hearing Representative

B. Corporate Franchise and Personal Income Tax Hearings
 (Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- B1. Paulette D. Thompson, 383553
 For Appellant: Eldon H. Thompson, Representative
 Victor Roy, Witness
 For Franchise Tax Board: Suzanne Small, Tax Counsel
- B2. Jerome Thomas Heckenkamp, 381120
 For Appellant: Jerome Thomas Heckenkamp, Taxpayer
 For Franchise Tax Board: Suzanne Small, Tax Counsel
- B3. Deborah Sharpe, 382011
 For Appellant: Deborah Sharpe, Taxpayer
 For Franchise Tax Board: Suzanne Small, Tax Counsel
- B4. Duane Dworshak, 384281
 For Appellant: Duane Dworshak, Taxpayer
 For Franchise Tax Board: Suzanne Small, Tax Counsel
- B5. Marc Pretscher, 393425
 For Appellant: Peymon Mottahedeh, Representative
 For Franchise Tax Board: Suzanne Small, Tax Counsel
- B6. Rick Burningham, 395921
 For Appellant: Peymon Mottahedeh, Representative
 For Franchise Tax Board: Suzanne Small, Tax Counsel

Announcement of Closed Session Ms. Olson

Q. Closed Session

- Q1. Discussion and action on personnel matters (Gov. Code § 11126(a))

Announcement of Open Session Ms. Olson

Adjourn - The meeting will reconvene on Wednesday, May 14, 2008, at 9:30 a.m.

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Diane G. Olson, Chief
Board Proceedings Division

- * Public comment on any agenda item, other than a Closed Session item or an item which has already been considered by a Board Committee, will be accepted at that meeting.
- "CF" Constitutional Function – The Deputy State Controller may not participate in this matter under Government Code section 7.9.



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Board Meeting*

Special Presentation Dr. Chu

- Presentation of Retirement Resolution
 - Joseph D. Young

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C13. Amer Ibrahim Masri, 289102, 336003 (EA)
 - For Claimant: Amer Masri, Taxpayer
 - For Department: Christine Bisauta, Tax Counsel
- C14. Bruce Allen Scott and Hal D. Lawrence, 330669, 351500 (FH)
 - For Petitioner: Hal Lawrence, Taxpayer
 - For Department: Carla Caruso, Tax Counsel
- C15. McMullen Oil Recycling Co., Inc., 347374 (AA)
 - For Claimant: Andrew Hopwood, Representative
 - For Department: Trecia Nienow, Tax Counsel

- C16. Vista Café, Inc., 332208 and 328978 (AS)
For Petitioner/Claimant: Varduhi Rose Torosian, Taxpayer
For Department: Kevin Hanks, Hearing Representative

1:30 p.m. Board Meeting Reconvenes*

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- C17. Lucky Mozel, Inc., 286785 (AP)
For Petitioner: Robert Marc Hindin, Attorney
For Department: Kevin Hanks, Hearing Representative
- C18. Vector Design, Inc., 255265 (AC)
For Petitioner: Vincent Latona, Taxpayer
Steve Mather, Attorney
For Department: Robert Tucker, Tax Counsel
- C19a. Ameritrans, Inc., 315414, 315417 (KHO)
C19b. Ameriwest, Inc., 281204, 315418 (KHO)
For Petitioner: Donald A. Driftmier, CPA
For Department: Trecia Nienow, Tax Counsel
- C20. Contractors Wardrobe, Inc., 311396 (AR)
For Petitioner: Steve Teeman, Taxpayer
For Department: Robert Tucker, Tax Counsel
- C21. Justin F. McJones and Madeleine A. McJones, 311626 (UT)
For Petitioner: Justin McJones, Taxpayer
John O'Connor, Representative
For Department: Carla Caruso, Tax Counsel
- C22. American Textile Systems, 359067 (AA)
For Petitioner: Alan Nathan, Taxpayer
For Department: Carla Caruso, Tax Counsel
- C23. Paula J. Hunter, 379962 (EH)
For Petitioner: Paula Hunter, Taxpayer
For Department: Christine Bisauta, Tax Counsel

D. Special Taxes Appeals Hearing

(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

D1. Mike Issa Grair, 310010 (ET)

For Petitioner:

Mike Grair, Taxpayer

John A. Caven, Accountant

For Department:

Monica Brisbane, Tax Counsel

Adjourn - The meeting will reconvene on Thursday, May 15, 2008, at 9:30 a.m.

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Board Meeting*

Oral Hearings

A. Homeowner and Renter Property Tax Assistance Hearings
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- A1. Asuncion P. Hamoy, 406636
For Claimant: Asuncion P. Hamoy, Taxpayer
For Franchise Tax Board: Suzanne Small, Tax Counsel
- A2. Larry R. Stieber, 397117
For Claimant: Larry R. Stieber, Taxpayer
For Franchise Tax Board: Suzanne Small, Tax Counsel

B. Corporate Franchise and Personal Income Tax Hearings
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- B7a. Billy W. Blanks and Gayle H. Blanks, 268581
B7b. BG Star Productions, Inc., 268579
For Appellant: Thomas W. Henning, Attorney
Glenn Bystrom, CPA
For Franchise Tax Board: Renel Sapiandante, Tax Counsel
- B8a. Charlotte Chao Carr, 359071
B8b. George Carr, 380591
For Appellant: Charlotte Chao, Taxpayer
George Carr, Taxpayer
Andrea Suarez, Attorney
For Franchise Tax Board: Mark McEvilly, Tax Counsel
- B9. Steven L. Lane, 390952
For Appellant: Steven L. Lane, Taxpayer
David Kabachnick, Enrolled Agent
For Franchise Tax Board: Suzanne Small, Tax Counsel
- B10. Dean Scheu, 377476
For Appellant: Dean Scheu, Taxpayer
Judith Routledge, Attorney
For Franchise Tax Board: Mark McEvilly, Tax Counsel
- B11. David H. Ward, 400893
For Appellant: Keith A. Shibou, CPA
For Franchise Tax Board: Natasha Page, Tax Counsel
- B12. Jennifer Hernandez-Mike and Thomas Estama, 378220
For Appellant: Keith A. Shibou, CPA
For Franchise Tax Board: Natasha Page, Tax Counsel

1:30 p.m. Board Meeting Reconvenes*

B. Corporate Franchise and Personal Income Tax Hearings
(Contribution Disclosure forms required pursuant to Gov. Code § 15626.)

- B13. Byron Reynolds, 382836
For Appellant: Byron Reynolds, Taxpayer
For Franchise Tax Board: Suzanne Small, Tax Counsel
- B14. Elizabeth A. Welmas, 400894
For Appellant: Keith A. Shibou, CPA
For Franchise Tax Board: Natasha Page, Tax Counsel

- B15. Daniel V, Inc., 342609
For Appellant: Marty Dakessian, Attorney
David Keligian, Attorney
Ron Lane, Witness
David Hehn, Witness
For Franchise Tax Board: William Gardner, Tax Counsel
- B16. Thomas Y. Chung and Chan N. Chung, 395925
For Appellant: Thomas R. Lamons, Attorney
For Franchise Tax Board: William Gardner, Tax Counsel
- B17. Robert Fouts and Maureen Fouts, 383284
For Appellant: John F. Nolan, Attorney, CPA
For Franchise Tax Board: Ronald Hofsdal, Tax Counsel

Adjourn

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